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OFFICE OF PETITIONS

In re Application of
Garcia Luna Aceves, et al.
Application No. 09/703,075
Filed: October 31, 2000
Attorney Docket No. NC30315

DECISION ON PETITION

This is a decision on the petition under 37 CFR § 1.137(b), filed January 3, 2002, to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to respond in an appropriate and timely manner to the "Notice to File Missing Parts in a Nonprovisional Application" (the "Notice") mailed January 12, 2001. The Notice set forth a two month period for reply beginning from its mailing date. Extensions of time for reply were available pursuant to 37 CFR § 1.136(a). No response was received within the allowable period. Accordingly, this application became abandoned on March 13, 2001. The instant petition was filed before a Notice of Abandonment could be sent.

The Notice required that an oath or declaration in compliance with 37 CFR 1.63 be filed, and a surcharge pursuant to 37 CFR 1.16(e) be remitted. Petitioner responded by filing a declaration and remitting the required surcharge.

The application is being forward to the Office of Initial Patent Examination for further processing.

Telephone inquiries concerning this matter may be directed to Kenya A. McLaughlin, Petitions Attorney, at (703) 305-0010.

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for Patent Examination Policy